

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

HICKOK INCORPORATED

Plaintiff,

VS.

SYSTECH INTERNATIONAL, LLC, et al.

Defendants

) CASE NO. 1:07cv3565

) JUDGE CHRISTOPHER A. BOYKO

) **PLAINTIFF'S NOTICE OF**  
) **WITHDRAWAL OF BRIEF IN**  
) **OPPOSITION TO DEFENDANTS'**  
) **MOTION FOR PARTIAL SUMMARY**  
) **JUDGMENT AND REILING**  
) **CORRECTED BRIEF UNDER SEAL**

Now comes Plaintiff, Hickok Incorporated, by and through counsel, to notify the Court that it is withdrawing its Brief in Opposition to Defendants' Motion for Partial Summary Judgment and Refiling its *Corrected* Brief, and supporting Declarations and exhibits, under seal.

On January 16, 2009, the parties filed a stipulated protective order that was approved by the Court and docketed on January 20, 2009. Among other things, the protective order requires documents and testimony that has been marked "confidential" to be filed under seal if used in support of a motion or other pleading. Because Plaintiff's Opposition Brief references and attaches testimony and documents marked "confidential," Plaintiff is withdrawing the pleading and refileing it under seal to protect any information that any party marked as confidential.

Additionally, in reviewing it Opposition Brief, Plaintiff noted that some Declaration references and citations to transcripts were either omitted or inaccurate. To avoid any confusion, those errors were corrected in the refiled Opposition Brief. Further, two of the Declarations submitted in support of Plaintiff's Opposition Brief were incorrectly captioned "Affidavits." Both have been renamed and refiled as Declarations.

Respectfully submitted,

/s/ Robert D. Kehoe

Robert D. Kehoe (#0017466)

rdkehoe@kehoelaw.net

Kehoe & Associates, LLC

900 Baker Building

1940 East Sixth Street

Cleveland, OH 44114

Telephone: (216) 621-1500

Facsimile: (216) 621-1551

*Attorney for Plaintiff Hickok Incorporated*

**CERTIFICATE OF SERVICE**

A copy of the foregoing Notice of Withdrawal of Pleading and Refiling has been served via the Court's electronic filing system this 25th day of January 2015 upon the following:

Philip J. Moy  
FAY SHARPE LLP  
The Halle Building, 5<sup>th</sup> Floor  
1228 Euclid Avenue  
Cleveland, Ohio 44115  
[pmoy@faysharpe.com](mailto:pmoy@faysharpe.com)  
*Attorneys for Defendant Systech International, LLC  
and Delphi Corporation*

/s/ Robert D. Kehoe  
Attorney for Plaintiff